

1 A bill to be entitled
 2 An act relating to Broward County; providing for
 3 appointment of the membership of the Broward County
 4 Tourist Development Council; specifying requirements for
 5 the council members; providing for duties,
 6 responsibilities, and procedures of the council; providing
 7 for superseding certain provisions of general law;
 8 providing an effective date.

9
 10 WHEREAS, Broward County is the second most populous county
 11 in Florida, is served by a charter government, and contains
 12 thirty-one municipalities, and

13 WHEREAS, Broward County has experienced exceptional growth
 14 over the past 26 years and its population presently exceeds
 15 1,800,000 residents, and

16 WHEREAS, an increase in members of the Broward County
 17 Tourist Development Council, as provided in this act, is
 18 required by such factors, NOW, THEREFORE,

19
 20 Be It Enacted by the Legislature of the State of Florida:

21
 22 Section 1. Broward County Tourist Development Council.--

23 (1) Notwithstanding s. 125.0104(4), Florida Statutes, if
 24 the Broward County Board of County Commissioners levies and
 25 imposes a tourist development tax under s. 125.0104, Florida
 26 Statutes, the board shall appoint an advisory council to be
 27 known as the "Broward County Tourist Development Council." The
 28 council shall be established by ordinance and composed of 11

HB 1095

2009

29 members who shall be appointed by the Broward County Board of
30 County Commissioners. The Mayor of the Broward County Board of
31 County Commissioners or any other member of the commission as
32 designated by the mayor shall serve on the council. Two members
33 of the council shall be elected municipal officials, at least
34 one of whom shall be from the most populous municipality in the
35 county. Six members of the council shall be persons who are
36 involved in the tourist industry and who have demonstrated an
37 interest in tourist development, of which members not less than
38 three nor more than four shall be owners or operators of motels,
39 hotels, recreational vehicle parks, or other tourist
40 accommodations in the county and subject to the tax. The tenth
41 member shall be nominated from the membership of the State Road
42 7 Collaborative and the eleventh member shall be a minority
43 person who is involved in the tourism industry. All members of
44 the council shall be electors of Broward County. The Broward
45 County Board of County Commissioners shall have the option of
46 designating the chair of the council or allowing the council to
47 elect a chair. The chair shall be appointed or elected annually
48 and may be reelected or reappointed. The members of the council
49 shall serve for staggered terms of 4 years. The terms of office
50 of the original members shall be prescribed in the resolution
51 required under s. 125.0104(4)(b), Florida Statutes. The council
52 shall meet at least once each quarter and, from time to time,
53 shall make recommendations to the county governing board for the
54 effective operation of the special projects or for uses of the
55 tourist development tax revenue and perform such other duties as
56 may be prescribed by county ordinance or resolution. The council

HB 1095

2009

57 shall continuously review expenditures of revenues from the
58 tourist development trust fund and shall receive, at least
59 quarterly, expenditure reports from the county governing board
60 or its designee. Expenditures that the council believes to be
61 unauthorized shall be reported to the Broward County Board of
62 County Commissioners and the Department of Revenue. The
63 commission and the department shall review the findings of the
64 council and take appropriate administrative or judicial action
65 to ensure compliance with this section. The changes in the
66 composition of the membership of the tourist development council
67 mandated by this act shall not cause the interruption of the
68 current term of any person who is a member of a council on the
69 effective date of this act.

70 (2) Except as provided in this section, the Broward County
71 Tourist Development Council shall have all the duties,
72 responsibilities, and procedures as provided for tourist
73 development councils by general law.

74 Section 2. This act supersedes the provisions of s.
75 125.0104, Florida Statutes, for Broward County to the extent of
76 any conflict.

77 Section 3. This act shall take effect upon becoming a law.